

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

GARY HIRSH,	)	
	)	
Plaintiff,	)	8:06CV13
	)	
v.	)	
	)	
FERNANDO LECUONA,	)	ORDER
	)	
Defendant.	)	
_____	)	

This matter is before the court on defendant 's motion to quash praecipe and/or writ of execution, Filing No. [136](#). The parties have represented that this action has been settled, but that settlement documents cannot be finalized until May 2009. Accordingly, the court finds that the plaintiff's praecipe for a writ of execution should be quashed, without prejudice to the plaintiff's right to reassert it, if necessary. This is not a determination on the merits of the issue.

IT IS ORDERED:

1. Defendant's motion to quash (Filing No. [136](#)) is granted.
2. Plaintiff's praecipe for a writ of execution (Filing No. [135](#)) is hereby quashed, without prejudice to refiling.
3. The parties shall file a joint stipulation for dismissal (or other dispositive stipulation) on or before June 15, 2009.

DATED this 25<sup>th</sup> day of November, 2008.

BY THE COURT:

s/ Joseph F. Bataillon  
\_\_\_\_\_  
Chief District Court Judge